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Attorney Docket No. 5458.83ACT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Nava
Serial No.: 10/771,053
Filing Date: February 3, 2004
For: *LOW MONOMER CONTAINING LAMINATING RESIN COMPOSITIONS*

Confirmation No.: 1521
Group Art Unit: 1713

Date: May 10, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of February 3, 2004 rather than February 2, 2004 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of February 3, 2004 being the correct filing date for the application which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the official USPS Track and Confirm page, confirming deposit with the USPS at 5:48 pm on February 3, 2004; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of February 2, 2004 instead of the Express Mail date of February 3, 2004.

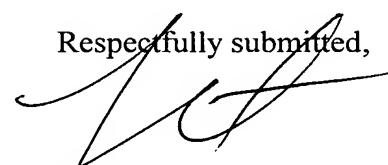
This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of February 3, 2004 as the filing date pursuant to 37 CFR § 1.10.

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that

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no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

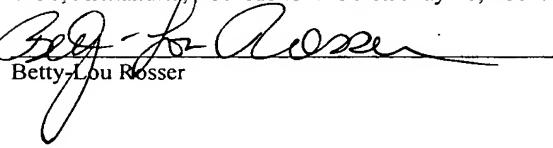


M. Michael Sajovec
Attorney For Applicant
Registration No. 31,793

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 10, 2004.



Betty-Lou Rosser

PATENT



THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5458-83ACT
DATE: February 3, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- a patent application
 a Continuation a Divisional a Continuation-in-Part (CIP) Application of prior application no.: 08/683,682; filed July 17, 1996, the disclosure of which is incorporated herein by reference in its entirety.
 and claims the benefit of Provisional Application No. 60/017,028, filed on May 7, 1996.

Inventor(s) or Application Identifier:

Hildeberto Nava

Entitled:

Low Monomer Containing Laminating Resin Compositions

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400.
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. 26 pages of Specification (including 10 claims)
3. sheets of Formal Drawings (35 USC 113)
4. Oath or Declaration
 - a. newly executed (*original or copy*)
 - b. copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
 - c. DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. Application Data Sheet. See 37 CFR 1.76
6. Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. Microfiche Computer Program (*Appendix*)
 8. Assignment papers (*cover sheet(s) and document(s)*)
 9. Applicant claims small entity status. See 37 CFR § 1.27.
 10. Information Disclosure Statement, PTO-1449, and 0 references cited
 11. Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
 12. English Translation Document
 13. Certified Copy of Application No. ; Filed
 14. Sequence Listing/ Sequence Listing Diskette
 - a. computer readable copy
 - b. paper copy
 - c. statement in support
 15. An Associate Power of Attorney
 16. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
 17. Deletion of Inventor(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)
 18. Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
 19. Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate	Large Entity Rate
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	10 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	1 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>		Total \$	Total \$770.00	

- A check in the amount of \$ to cover the filing fee is enclosed.
 A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
 Please charge my Deposit Account No. 50-0220 in the amount of \$770.00.
 The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
 a. Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 b. Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

F. Michael Sajovec
Registration No. 31,793

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV 193584110 US

Date of Deposit: February 3, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Clara R. Beard



Track & Confirm

Shipment Details

You entered EV19 3584 110U S

Your item was delivered at 9:52 am on February 04, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

Here is what happened earlier:

- ARRIVAL AT UNIT, February 04, 2004, 8:48 am, DULLES, VA 20102
- ENROUTE, February 03, 2004, 7:25 pm, RALEIGH, NC 27623
- ACCEPTANCE, February 03, 2004, 5:48 pm, RALEIGH, NC 27612

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Mail Stop Patent Application FMS/crb

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450.

02-12-04 A09

Date: Feb. 3, 2004

Doc. No. 5458-83ACT

Serial No. 7084 Assigned

Inventor: Nava

Sir: Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- Application Transmittal and: Check \$ _____
 Specification pages 26 IDS & PTO-1449 & refs.
 No. of Claims 10 Amendment & Amend. Transmittal
 Declaration & POA Preliminary Amendment
 Assignment Issue Fee
 Small Entity Statement Brief
 Formal Drawings/ sheets Appeal
 Associate Power of Attorney Submittal of Priority Doc.
 Exp. Mail 1st Class Mail
 Other: Authorization to Charge Deposit Account

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

22278

U.S.PTO
10/771053

